

### Remarks

This Amendment is responsive to the Final Rejection dated August 18, 2009. An RCE accompanies this Amendment. With claims 3, 5-8 and 10 withdrawn, claims 1, 2, 4, 9 and 11-14 are presented for further consideration.

Although it is believed that the elements are well identified with conforming language in the specification, the claims have been amended to provide reference numerals therein to specifically identify the elements. The claims have also been amended to refer to "fuel gas" rather than merely to "fuel", to make it clear that the elements must be operable with respect to gas, in contrast with liquid fuel.

The rejection of each claim employs Liu as the sole or principal reference. In lines 3-8 of ¶ 26 Liu says that methanol and other liquid reactant fuel cells are equally applicable to Liu's inventions. Gaseous fuels are thus excluded.

In lines 9-12 of ¶ 26, Liu states that his embodiments are *"arranged in pairs that have the anodes facing one another (sometimes referred to as a 'shared anode chamber' arrangement)." In Fig. 2, each fuel cell 102 is shown to have an anode 106 (¶ 27). In Fig. 3, the shared chamber is a "fuel region 112" (¶ 28, line 8) which is described in ¶ 30, lines 5 and 6 as "a fuel distribution element 120". Referring to Fig. 4, there is an upper fuel cell 102 and a lower fuel cell 102; each of the fuel cells has its anode 106 facing the other fuel cell such that the fuel distribution element 120 is the "shared anode chamber" referred to in ¶ 26, line 11. In ¶ 30, lines 4-6, the fuel is described as "then distributed in a thin layer over the surfaces of the anodes 106 by a fuel distribution element 120."* Thus, there are no "channels to distribute the fuel to the anode" in Liu as previously indicated in lines 2 and 3 of page 9 of the Final Rejection. Furthermore, each of the fuel cells does not have a separate fuel flow field, but at best each shares a fuel distribution element 120 with an adjacent fuel cell.

The foregoing illustrates that the mechanisms (wicking of liquid) in Liu are clearly distinct from trying to spread gaseous fuel among many fuel channels in many fuel cells of the stack. Particularly, the direct contact of the liquid with the anodes 106 as described in paragraph 30 is truly a different apparatus altogether from that claimed herein.

For the foregoing reasons, examination of amended claims 1, 2, 4, 9 and 11-14 is respectfully requested.

To save the Examiner considerable time when this case is taken up, a short phone call is recommended should any issue herein still be unresolved. A few minutes on the phone could clarify a point, or result in a supplemental response which would further limit or dispose of

issues. A five minute phone call can save the Examiner a lot of work. Such a phone call would be deeply appreciated.

Respectfully submitted,



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M. P. Williams  
Attorney of Record  
Phone: 860-649-0305  
Fax: 860-649-1385  
E-mail: [mw@melpat.com](mailto:mw@melpat.com)

210 Main Street  
Manchester, CT 06042

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